

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUSAN COMPETELLO,

Plaintiff,

-against-

ASH & ERIE, INC.,

Defendant.
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KATHARINE H. PARKER, United States Magistrate Judge:

On October 29, 2024, the parties appeared for an Initial Case Management Conference. After review of the pleadings and consultation with the parties, the following Scheduling Order is entered pursuant to Rule 16 of the Federal Rules of Civil Procedure:

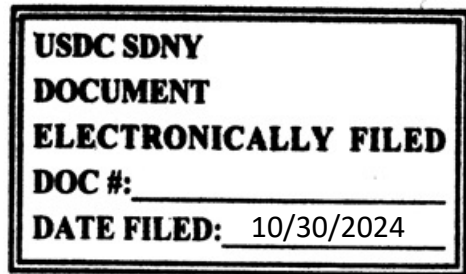
Pleadings and Parties. The parties shall have until **November 12, 2024**, to amend the pleadings or to join parties.

Fact Discovery. The deadline to complete fact discovery is **February 3, 2025**.

Depositions. The deadline to complete depositions is **February 3, 2025**. The parties are limited to no more than 3 depositions per party. Absent an agreement between the parties or an order from the Court, non-party depositions shall follow initial parties.

Interrogatories. Initial sets of interrogatories shall be served by **December 3, 2024**. All subsequent interrogatories must be served no later than 30 days prior to the discovery deadline.

Requests for Admission. Requests for admission must be served by **December 3, 2024**.



24-CV-5899 (JMF) (KHP)

SCHEDULING ORDER

Requests for Production. Initial requests for production shall be exchanged by **December 3, 2024**. All subsequent requests for production must be served no later than 30 days prior to the discovery deadline.

Expert Discovery. The deadline to complete expert discovery is **April 3, 2025**. Any affirmative expert report shall be served by **February 3, 2025**. Any rebuttal reports shall be served by **March 3, 2025**. Any expert depositions shall be completed by **April 3, 2025**.

Accessibility Consultant Report. Defendant shall provide Plaintiff with a copy of Defendant's accessibility consultant report by **November 29, 2024**.

Supplementation. Supplementations under Rule 26(e) must be made within a reasonable period of time after discovery of such information.

Discovery Disputes. The parties shall follow the Court's Individual Procedures with respect to any discovery disputes. See <https://nysd.uscourts.gov/hon-katharine-h-parker>. Rule 1 and Rule 26(b)(1). Counsel shall comply with Rule 1 and Rule 26(b)(1) in the conduct of discovery.

Document Requests. Counsel shall be fully familiar with their obligations under Rules 34 and 26(g) and consider and discuss ways to ensure compliance and minimize disputes regarding overbreadth and specificity of requests and responses. A failure to comply with this responsibility carries serious consequences. Requests for any and all documents on a broad topic are presumptively improper. Likewise, courts have held that an objection that does not appropriately explain its grounds is forfeited. *See, e.g., Fischer v. Forrest*, No. 14 Civ. 01304 (PAE) (AJP), 2017 WL 773694, at *3 (S.D.N.Y. Feb. 28, 2017) ("[A]ny discovery response that

does not comply with Rule 34's requirement to state objections with specificity (and to clearly indicate whether responsive material is being withheld on the basis of objection) will be deemed a waiver of all objections (except as to privilege).")

Mediation. This case is referred to the Court-annexed Mediation Program for a settlement conference. The parties are notified that Local Rule 83.9 and the Mediation Program Procedures shall govern the mediation. The mediation will have no effect upon any scheduling Order issued by this Court without leave of this Court. Mediators will be assigned based on the nature of suit. Additional expertise requests should promptly be directed to the Mediation Office. Please reference the following when corresponding with the Mediation Office. E-mail MediationOffice@nysd.uscourts.gov, telephone (212) 805-0643, and facsimile (212) 805-0647. Mediator to be assigned by **January 29, 2025**.

The parties shall file a joint status letter by **December 6, 2024**, updating the Court on the status of discovery.

SO ORDERED.

DATED: New York, New York
October 30, 2024



KATHARINE H. PARKER
United States Magistrate Judge